IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO.17559 of 1995

Between:

Laxman, S/o.Yeshwanth Rao, 28 years,
H.NO:- 21-3-140, Tagarikanaka, Hyderabad.

...PETITIONER

AND

1. The Assistant Engineer (O.P.), Charminar Section, District-IX, City-III APSEB, Hyderabad.
2. The Assistant Accounts Officer (ERO III), Diwandevede, APSEB, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction, particularly one in the nature of writ of Mandamus, declaring the action of the respondents in disconnecting the domestic power supply vide Service Connection No.003-M1-1106 which is situated at House No.21-3-140 Tagarikanaka, Hyderabad as illegal, arbitrary, malafide and without jurisdiction and consequently direct the respondents to restore the power supply to the S.C.No.003-M1-1106 situated at H.No.21-3-140, Tagarikanaka, Hyderabad forthwith.

Counsel for the Petitioner: MR.K.RAJI REDDY

Counsel for the Respondents: MR.K.RAVINDRA KUMAR, SC FOR A.P.S.E.B.

The Court made the following:

THE HONIBLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO.17559 of 1995

ORDER:

The Writ Petition is filed seeking a declaration that the action of the respondents in disconnecting the domestic power supply of the petitioner in Service Connection No.003-M1-1106 situated at House No.21-3-140 is illegal, arbitrary, malafide and without jurisdiction and with a consequential direction to the respondents to restore the power supply.

The case of the petitioner in brief is that the first respondent issued a memo dated 06.07.1995 in relation to the above service connection, directing the petitioner to pay an amount of Rs.6,359/- within 24 hours, failing which the service will be disconnected without any further notice. The petitioner states that he made a representation dated 13.07.1995 to the respondents requesting them to grant instalments to pay the bill amount and he was granted two instalments. The petitioner paid the first instalment of Rs.3,359/- on 13.07.1995 vide receipt No.420703 and he has to pay the second instalment of Rs.3,000/- along with next bill. But the respondents disconnected the power supply without any notice. Assailing the said action of the respondents, the present Writ Petition is filed.

This Court while admitting the Writ Petition on 22.08.1995 directed the respondents to restore power supply to the petitioner and by virtue of the said order, the petitioner is still enjoying the power supply.

Today, the learned standing counsel for APSEB submits that there are no arrears against the above said service connection and no dues are payable by the petitioner and the power supply is already restored. Since the amount demanded under the impugned bill has already been paid and the petitioner is continuing to enjoy the power supply, no further orders need be passed in the Writ Petition and

the same is accordingly closed.

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(N.V.RAMANA, J)

22nd September 2004

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The Assistant Engineer (O.P.), Charminar Section, District-IX, City-III APSEB, Hyderabad.
2. The Assistant Accounts Officer (ERO III), Diwandevede, APSEB, Hyderabad.

3. Two CD copies.